

INTERNATIONAL CITY MANAGERS' ASSOCIATION

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ORGANIZATION FOR CITY PLANNING

What is the role of planning in city government? How can planning best be organized and administered to serve the chief executive and the city council?

The chief executive--mayor or city manager--of any city can help develop effective public planning when the city planning agency is an integral part of the executive branch of the city government. A full-time director of planning is essential in cities of approximately 50,000 population or more and in many smaller cities as well. The planning director should be appointed by the chief executive, and the job should have sufficient salary and status to enable the planning director to work as an equal with other department heads.

The planning director can help the chief executive in many ways. A proposed site for a municipal auditorium, for example, may be unwise because of inadequate parking space and public transportation. An alternative site may be much more convenient and economical. The chief executive needs someone to watch this for him and the planning director is the logical person.

The chief executive must do more of the planning work directly in smaller cities that do not have a full-time planning director. Even in these cities, however, the chief administrator should use an administrative assistant, the city engineer, and outside consultants to do the detail work in making social and economic studies and compiling data for the plan of physical improvements.

The Planning Board. Preferably the city planning board should be an advisory board. In some states, however, the statutes compel the city to vest authority in the planning board. No matter what the degree of authority for the planning board, the important consideration is developing good working relationships to get the planning job done.

The position of the planning board and the planning director varies among cities. In Oklahoma City, for example, the city planning engineer is appointed by the city manager while the nine-member planning commission is appointed by the mayor. Quoting from an Oklahoma City ordinance, "The City Planning Engineer shall have the duty of serving the City Planning Commission, and assist in carrying out the provisions of this ordinance."

The Sacramento city charter does not provide for a planning commission or a planning department. Nevertheless the city does have a planning commission appointed by the city council and a planning director appointed by the city manager. Almost all planning commission reports are submitted to the city council while the planning director reports to the city manager on general administrative matters.

The city plan commission in Kansas City, Missouri, is appointed by the mayor while the city manager is one of five advisory and nonvoting members. The planning director is appointed by the city manager but is formally responsible to the plan commission. The commission, however, has instructed the planning director

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to make studies and carry out the program set forth by the city manager. The planning director is considered a regular city department head and is called in by the city manager whenever departmental conferences are held that may affect planning.

Other ways of developing good working relationships for city planning include having the mayor or city manager attend planning board meetings, perhaps having a city councilman serve on the board, and encouraging the planning board to clear all material with the chief executive before it is released. (See MIS Report No. 38, "Relations of Council and Chief Administrator to Boards and Commissions").

The planning board can perform the useful function of publicly supporting the city planning program and providing broad citizen representation in the planning process. On the other hand, the mayor or city manager who relies solely on the planning board for city planning simply will not get the work done. If there is to be a planning program, the chief executive more than any other one person must take the responsibility.

Legislative Bases for Planning. Cities in nearly all states have authority to establish local planning commissions or agencies. The composition of these agencies and their degree of authority mainly depend upon state statutes. Cities often receive the necessary powers for planning through the passage of state planning enabling acts. These acts are usually permissive in nature and thus allow cities to establish local planning agencies provided they follow specified legal procedures. In home rule cities the formal organization and powers of the planning agency may be provided for in the city charter. In other cities it may be done by a local ordinance incorporating the content of the enabling act.

Within the framework of state statutes the city's first job in establishing a planning program is to pass an ordinance for the planning agency. The ordinance of Pontiac, Michigan, for example, is brief and simple. It provides for the appointment of a city plan commission by the city manager and the manner of selecting the chairman of the commission, and then makes reference to the appropriate state statutes governing the city planning program.

Durham, North Carolina, has a city planning commission appointed by the city council. In addition, however, the city has passed an ordinance providing for a department of planning with a director appointed by the city manager. The ordinance establishing the department has a statement of objectives for the city planning program and lists in some detail the duties of the director of planning. The ordinance carefully defines the position of the planning department in the city government as the over-all planning agency for the city by stating that "...the department of planning and the planning director is hereby created as an over-all planning agency designed to assist the several operating departments of the city in formulating a public policy which will treat the problems of the community and of the municipal government as a closely-knit whole."

In addition to an ordinance establishing the planning agency, the city council may need to adopt ordinances providing for certain planning powers. Zoning regulations, for example, after being drafted and approved by the planning agency, must be adopted by ordinance. This is also true for land subdivision regulations and often for other parts of the planning program.

The Role of the Planning Department. Consideration of the major functions of the planning agency is basic to a discussion of organization and administration for city planning. In general the planning department should not do any work,

planning or otherwise, that can be done as well or better by other city departments. Within this framework the city planning department should (1) assemble data on existing and proposed programs and plans of public agencies (including the county, school districts, and other governmental units) and (2) social and economic data about the community. Then the planning department should analyze the data and develop short- and long-term recommendations of a specific nature. Finally the planning director should recommend to the chief executive those changes or developments of policy that must be requested from the city council and the changes in organization, management, and administrative procedures that can be effected by the chief executive through the issuance of administrative regulations.

The planning director should be particularly careful to point out those planning studies that can be done by the public works department, the health and welfare department, the fire department (location of district stations, for example), and the board of education. The planning director has the duty of recommending to the chief executive those portions of the planning program that are attainable and can be carried out through existing or proposed agencies of the city government. The mayor or city manager should have authority to assign qualified employees in any other city department to the planning department or to direct such departments to make any special studies requested by the planning director.

Viewed in this light city planning involves far more than the staff and expenditures for a city planning department. Like personnel and finance administration, planning becomes the responsibility of every department of the city government and especially a responsibility of the chief executive.

This can be made specific, for example, when the planning department is preparing the master plan for the city incorporating a street plan, park plan, recreation plan, and so forth. The department would find out the kind and detail of plans needed and what was being done to prepare such plans. The department would then recommend ways in which these plans could be developed and prepared, reserving to itself the assembly, analysis, and recommendations for the entire master plan. The department might recommend that the board of education take an inventory of community recreation facilities including city properties and public school buildings. This approach enables the planning department to undertake almost any kind of planning problem by making use of other departments of the city government and other local government agencies. The plan will be more acceptable too when other officials have participated in its development.

The work of the planning department can be divided into two classes: research and operations. Research work is needed in the initial development of the planning program for such matters as the preparation of the zoning ordinance, the subdivision control ordinance, and the master plan. The initial research work may include considerable engineering and survey work to prepare topographic and land use maps and social and economic studies to determine income level, public health standards, population characteristics, and other data. In addition research work is a continuing activity of the planning department in the maintenance and revision of the master plan and the long-term financial plan, and in proposing changes and amendments in zoning and subdivision regulations and procedures.

Of equal importance in the planning program are the day-to-day activities of the administration of the zoning plan, the administration of subdivision regulations, and the revision of the long-term financial plan (especially the capital budget).

It is beyond the scope of this report to comment on the work of the planning department in preparing and maintaining plans for streets, utilities, transporta-

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tion, housing and other physical features. Subsequent sections of this report are concerned instead with the tools of zoning and subdivision control and the preparation and maintenance of the long-term financial plan.

Zoning. Development of a city zoning plan (including necessary maps and a zoning ordinance) is a job for the city planning department. It is primarily a job of planning, not of law or engineering, although the planning director should use the services of the city attorney and the city engineer in developing the zoning plan. Careful preparation and adequate hearings before property owners and other citizen groups should precede the adoption of the zoning ordinance by the city council.

The zoning ordinance should provide for a board of appeals which preferably should be separate from the city planning commission. The danger in having the planning commission serve as the zoning appeals board is that in time it will be concerning itself only with zoning appeals and acting as a court instead of a citizen body concerned with all phases of community planning. It is important though for a member of the city planning commission to serve on the board of zoning appeals to provide representation for the public planning point of view.

Generally the zoning ordinance is administered by the city building inspector under statutory, charter or ordinance provisions by the power of issuing or withholding building permits. His job is a ministerial one of seeing whether the application conforms to the zoning ordinance. If it does, he issues a building permit; if not, he denies the permit. The applicant has the right to appeal to the board of zoning appeals, but the building inspector has no discretion in the issuance of permits.

The board of zoning appeals decides appeals from decisions of the building inspector, hears and decides cases for special exceptions, and grants zoning variances to avoid unusual and unnecessary hardship in the case of individual properties (see MIS Report No. 71, "Administration of Zoning Variances").

The enforcement of the zoning ordinance will rest with the city building inspector and his staff and in extreme cases with the municipal police department. The primary job of the planning department in administration of zoning will be to keep the zoning plan up to date and to propose necessary amendments to the zoning ordinance. Many cities in the past decade, for example, have amended zoning ordinances to compel people to provide off-street parking in the construction of hotels, apartment houses, theaters, and other buildings. It is the job of the planning department to anticipate such developments and recommend amendments to the zoning plan in time to do some good for the city.

Subdivision Control. At least 43 states have passed legislation enabling some or all cities to adopt subdivision control regulations. These laws generally enable cities to provide for the control of lot and block sizes and street layout, to require the installation of utilities, and to require provision for open space for parks, schools and other public facilities. In more than 20 states cities may exercise control over subdivisions from one to six miles beyond the city limits.

Assuming a city has necessary statutory authority the first step in regulating land subdivision is to adopt an ordinance in conformance with state statutes. The ordinance should make the planning department specifically responsible for regulating land subdivisions. From that point it is the planning department's

job to study and develop subdivision regulations in conformance with the master plan. As in all other work the planning department must coordinate the plans of the school district, the county (if the city can regulate subdivisions beyond city limits), and other affected governmental units.

Normally the power of approving land subdivision plats will rest with the city planning commission or the city council. It is the job of the planning department to develop subdivision regulations governing streets, blocks, lots, installation of utilities, provision for public open spaces, and other portions of neighborhood and community development (see MIS Report No. 30, "Municipal Regulation of Land Subdivision").

Before starting any construction or selling any lots in a subdivision the developer is required to submit a preliminary plan to the planning department. The preliminary plan must be in conformance with subdivision regulations which in turn are developed as a part of the master plan for the city. Upon receiving the preliminary plan the planning department can then secure expert assistance from the city engineer, the public health officials, the superintendent of schools and other local government officials vitally concerned with residential development. The city engineer or public works director, for example, will be concerned with plans for the sewerage system in the proposed subdivision. The street layout may result in sewage that has to be pumped instead of carried by gravity flow. Police, fire, and school officials want to know if present personnel, buildings, and equipment can serve the area.

The planning director can work most effectively in subdivision control by acting as a representative of the chief executive in reviewing subdivision plats for conformance to the city planning program. The city manager and the planning director should work out a specific procedure, formalized by administrative regulations, for the study and approval of preliminary subdivision plans. This procedure should assure that the plan is reviewed by health, public works, schools, recreation, and other interested public officials before the planning director reviews the plan and recommends it for final approval.

In most cases the planning director should not assume the role of designer of subdivision plats submitted for approval. Instead he should point out possible trouble spots and portions of the plan that are directly in conflict with regulations. The planning director can point to possible economies in design particularly in the layout of blocks and streets which can save the subdivider considerable money. He should encourage the land developers to use the services of competent site planners and landscape architects in revising the subdivision plats.

Long-Term Financial Plan. In the development and control of private property the city uses the devices of zoning, land subdivision control, and building and safety code regulations. The acquisition and development of public property in conformance with the master plan is done by the long-term financial plan which is based upon (1) a public services program, (2) a capital improvements program, and (3) a long-term revenue program. The long-term financial plan is carried out by means of (4) a priority list of capital improvements, (5) the capital budget (usually a six-year budget), and (6) the annual operating budget.

The mayor or city manager is responsible for development and maintenance of the long-term financial plan but much of the work is done by careful delegation to the planning director, the budget or finance director, and other department heads.

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1. The Public Services Program. This is simply a projection of the operating budget. It is based on measurement of the objectives and needs of each city department, the standards of municipal services desired, and the identification of the principal cost factors for each kind of municipal service. The gathering and analysis of this information can be done by the finance or budget director who secures the information from each city department.

2. The Capital Improvements Program. This consists of a comprehensive list of public improvements that will be needed by the city in the next 5 to 10 years. The program serves as a bridge between the master plan for the city and the public services program and is developed by the planning department.

3. A Long-term Revenue Program. The long-term revenue policy for the city can be formulated by considering the probable yield of local property and non-property taxes, grants-in-aid from other governments, and municipal borrowing. The estimates of tax and nontax revenues can best be done by the finance or budget director.

4. The Priority List of Capital Improvements. This specific list of capital improvements in priority order sets the pattern for the capital budget. Those projects with highest priority are included in the first year of the six-year capital budget and in the annual operating budget for the city. The determination of the priorities usually is done by the chief executive and the city council.

5. The Six-Year Capital Budget. The priority list of capital improvements is developed in greater detail and incorporated in a six-year capital budget. The capital budget is extended annually by adding the program for another year while the first year of the budget becomes a portion of the annual operating budget. Preparation and maintenance of the capital budget is a primary responsibility of the planning department.

6. The Annual Operating Budget. The annual budget provides revenue estimates together with detailed estimates of regular operating and capital expenditures for that year. It is one of the most important jobs of the chief executive because it forms a systematic financial plan for the immediate future and is the basis for the annual appropriation ordinance of the city. Compilation of revenue and expenditure estimates is a job for the finance or budget director, but the chief executive prepares the budget in final form for submission to the city council.

Thus the development of the long-term financial plan is done by operating department heads, the finance or budget director, and the planning department. The planning director, however, develops the final long-term financial recommendations for submission to the chief executive. His department is in the best position to balance needs and objectives of city services against current and long-term financial resources and to balance current and recurring expenditures against necessary and desirable capital improvements. From this point it is the job of the chief executive to submit the long-term financial program to the city council for their consideration and for public hearings.

In maintaining the master plan for the city, the planning department will almost automatically review and bring up to date the capital improvements program and the capital budget. The public services program can be reviewed by the chief executive through periodic administrative surveys of city departments and continual executive review of departmental activities.